

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

BRICKLAYERS & TROWEL TRADES)	
INTERNATIONAL PENSION FUND, ET AL.,)	
)	
<i>Plaintiffs,</i>)	
)	No. 1:22-cv-01298-JMS-TAB
vs.)	
)	
LANDRY MASONRY COMPANY, INC.,)	
)	
<i>Defendant.</i>)	

ORDER TO SHOW CAUSE

On December 13, 2022, Plaintiffs filed a Motion for Clerk's Entry of Default against Defendant Landry Masonry Company, Inc. ("Landry") and on January 3, 2023, the Clerk entered default against Landry. [[Filing No. 9](#); [Filing No. 10](#).] Since the January 3, 2023 entry of default, no activity has taken place in this case. Specifically, Plaintiffs have not filed a Motion for Default Judgment.

Plaintiffs must **SHOW CAUSE** no later than **June 21, 2023** why the Court should not dismiss this action without prejudice for failure to prosecute. See [Link v. Wabash R. Co.](#), 370 U.S. 626, 630-631 (1962) ("The authority of a court to dismiss *sua sponte* for lack of prosecution has generally been considered an 'inherent power,' governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases"); see also [GCIU Employer Retirement Fund v. Chicago Tribune Co.](#), 8 F.3d 1195, 1198-1199 (7th Cir. 1993) ("[A] party cannot decide for itself when it feels like pressing its action and when it feels like taking a break because trial judges have a responsibility to litigants to keep their court calendars as current as humanly possible") (quotation omitted). Any

response to this Order must include a proposed schedule to promptly resolve this action. A failure to respond will be deemed consent to a dismissal without prejudice.

Date: 6/6/2023

A handwritten signature in black ink, reading "Jane Magnus-Stinson". The signature is written in a cursive, flowing style.

Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

Distribution via ECF only to all counsel of record